

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WM. C. PLOUFFE, JR.,

Plaintiff,

v.

F. JAVIER CEVALLOS, ANNE ZAYAITZ,  
SHARON PICUS, ALEXANDER  
PISCIOTTA, DEBORAH SEIGER,  
PIETRO TOGGIA, MARK RENZEMA,  
MAHFUZUL KHONDAKER, JONATHAN  
KREMSEK, KEITH LOGAN, GARY  
CORDNER, ANN MARIE CORDNER,  
ROBERT WATROUS, JOHN  
CAVANAUGH, MICHAEL MOTTOLA,  
JOHN DOES, employees, officers,  
supervisors, and/or policy makers of  
Kutztown University and/or Pennsylvania  
State System of Higher Education (PASSHE),  
in their official and individual capacities, and  
KUTZTOWN UNIVERSITY,

Defendants.

CIVIL ACTION NO. 10-1502

**ORDER**

**AND NOW**, this 27<sup>th</sup> day of April, 2016, after considering the motion for summary judgment filed by the defendants (Doc. No. 247), the response to the motion filed by the plaintiff (Doc. No. 289), and the record developed through summary judgment motion practice, and after hearing argument from the parties, accordingly, and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** that the motion (Doc. No. 247) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The motion is **DENIED** insofar as the defendants request that the court enter judgment in their favor with respect to the claims under the Whistleblower Law and the gender discrimination claims under Title VII and Title IX. These claims will proceed to a jury; and

2. The motion is **GRANTED** as to all other claims and judgment is **ENTERED** in favor of the defendants and against the plaintiff on these claims.

**IT IS FURTHER ORDERED** as follows:

1. The motion to recuse filed by the plaintiff (Doc. No. 350) is **DENIED**. The part of the motion that concerns a request for a continuance of a previously-set trial date is **DENIED AS MOOT**;

2. The motion for sanctions filed by the plaintiff (Doc. No. 356) is **DENIED**. The part of the motion that concerns a request for free transcripts is **DENIED AS MOOT** as the court has already granted the plaintiff's request for free transcripts of all future proceedings, *see* Order, Doc. No. 368;

3. The amended motion to recuse filed by the plaintiff (Doc. No. 357) is **DENIED**. The part of the motion that concerns a request for a continuance of a previously-set trial date is **DENIED AS MOOT**;

4. The renewed motion for a stay, renewed motion for free transcripts, renewed motion for summary judgment ruling on submitted evidence, and motion for an extension of time to obtain an attorney filed by the plaintiff (Doc. No. 365) is **DENIED**. The court has already granted the plaintiff's request for free transcripts of all future proceedings. The court also unconditionally stayed this matter to provide the plaintiff with an opportunity to secure counsel, *see* Order, Doc. No. 368; and

5. The second amended motion to recuse filed by the plaintiff (Doc. No. 378) is  
**DENIED.**

BY THE COURT:

/s/ *Edward G. Smith*  
EDWARD G. SMITH, J.